

TOWN OF BLUFFTON BOARD OF ZONING APPEALS
Large Meeting Room, Bluffton Town Hall
Tuesday, July 21, 2015, Minutes

Present: Mike Tripka, Chairman; Julie O'Donnell, Carletha Frazier; Jackson Steele, Sam Brusco

Absent:

Staff: Kendra Lelie, Assistant Director of Growth Management; Rocio Rexrode, Growth Management Coordinator

I. CALL TO ORDER

Tripka called the meeting to order at 6:00 p.m.

II. ROLL CALL

III. NOTICE REGARDING ADJOURNMENT

The Board of Zoning Appeals will not hear new items after 9:30 P.M. unless authorized by a majority vote of the Board Members present. Items which have not been heard before 9:30 P.M. may be continued to the next regular meeting or a special meeting date as determined by the Board Members.

IV. NOTICE REGARDING PUBLIC COMMENTS

Every member of the public who is recognized to speak shall address the Chairman and in speaking, avoid disrespect to the Board and any personalities. State your name and address when speaking for the record.
COMMENTS ARE LIMITED TO THREE (3) MINUTES.

V. ADOPTION OF AGENDA

O'Donnell made a motion to adopt the July 21, 2015, Board of Zoning Appeals Agenda. Brusco seconded the motion. All were in favor and the motion passed.

VI. ADOPTION OF MINUTES – August 19, 2014

There was a revision made to the minutes to reflect the updated variance request from 7'8" to 7'2".

O'Donnell made a motion to adopt the revised August 19, 2014, meeting minutes. Steele seconded the motion. All were in favor and the motion passed.

VII. PUBLIC COMMENTS

There were no Public Comments.

VIII. OLD BUSINESS

There was no Old Business.

IX. NEW BUSINESS

1. PUBLIC HEARING - FOR ACTION

- A. 74 Pritchard Street.** A request by Russ Kurt Hall for approval of a Variance from the Town of Bluffton Unified Development Ordinance, Section 5.15.5.C, to allow for a 5 foot set-back on the south side of the property. The .23 acre property is located at 74 Pritchard Street and is identified by tax map number R611 039 00A 0241. The property is zoned Neighborhood General-HD (NG-HD).

Lelie presented.

The applicant was present to answer questions.

PUBLIC COMMENTS: There were no Public Comments.

O'Donnell made a motion to approve the variance request with the stipulation that the tax map is corrected. Brusco seconded the motion. All were in favor and the motion passed.

- B. Lots 1A - 6A Stock Farm.** A request by Pearce Scott Architects for approval of Variances from the Town of Bluffton Unified Development Ordinance, Section 5.15.5.C, to allow several variances front build-to zone, side and rear yard setbacks on Lots 1A-6A in Stock Farm. The lots are located on Guilford Place within the Neighborhood General – HD (NG-HD) zoning district.

Lelie presented.

PUBLIC COMMENTS: The Public Comment Session was opened.

- 1. Dan Hurst, 5 Head of the Tide:** He was concerned about changing the rear setbacks because it would bring houses very close to the rear lot line. He stated that it would be difficult to maintain some of the large trees that are on the lots. He said that the applicant knew what the restrictions were when he bought the lots.
- 2. Marge Blair, 1 Head of the Tide:** She said that her biggest concern is the 5 foot setback on Stock Farm Road (Lot 6A). She mentioned that the set back is not appropriate because the canopy on that road is very pretty and looks like a rural street. She stated that allowing the setback would make the road look like an urban style streetscape.

The Public Comment Session was closed.

There was an extensive discussion regarding conditions that could be applied to be able to mitigate the variance request.

There was a concern with the rear yard setbacks being too close to the neighboring properties.

There was a consensus to modify the variance request and it was decided to review each lot individually.

PUBLIC COMMENTS: The Public Comment Session was reopened.

3. **Don G, Head of the Tide:** He suggested there is merit in the applicant's request to bring the houses closer to the rear including putting a nice buffer zone without a back door on the structures. He said the residents would be happy to be upfront near the road. He suggested granting the applicant the variance request to the rear of the lot.

The Members and the applicant continued the conversation regarding the best way to modify the request and apply conditions.

4. **Sean Barth, 24 Thomas Heyward:** He stated that he is not for or against the variance request and that he is for development. He expressed concern and encouraged the Board to take into consideration the precedent being established for future requests.

Kendra clarified that whatever the Board decides will apply to each lot individually and that the decision would not create a precedent and that each variance is based on the individual merits of the application.

5. **Kevin Farrugio, Westbury Park:** He suggested that the applicant should get credit for taking off the table the option of having a carriage house in the smaller lots. He said that per the UDO the Applicant has the ability to put a carriage house 5 feet off the rear of the property.

The Public Comment Session was closed.

The variance requests were approved as follows:

Lot 6A:

O'Donnell made a motion to deny the variance as requested. Brusco seconded the motion. All were in favor and the motion passed.

O'Donnell rescinded the first motion to deny the variance as requested. Brusco rescinded the second motion.

O'Donnell made a motion to approve the variance request as proposed. Brusco seconded the motion. The motion was denied by all the Members.

Lot 1A:

O'Donnell made a motion to approve a variance of 5' side setback and a 20' rear setback with an applicable rear yard buffer in accordance

with the UDO. Brusco seconded the motion. All were in favor and the motion passed.

Lot 2A:

O'Donnell made a motion to approve a variance of 5' side setback and a 20' rear setback with an applicable rear yard buffer in accordance with the UDO. Brusco seconded the motion. All were in favor and the motion passed.

Lot 3A:

O'Donnell made a motion to approve a variance of 5' side setback and a 20' rear setback with an applicable rear yard buffer in accordance with the UDO. Brusco seconded the motion. All were in favor and the motion passed.

Lot 4A:

O'Donnell made a motion to approve a variance of 5' side setback and a 20' rear setback with an applicable rear yard buffer in accordance with the UDO. Brusco seconded the motion. All were in favor and the motion passed.

Lot 5A:

O'Donnell made a motion to approve a variance of 5' side setback and a 20' rear setback with an applicable rear yard buffer in accordance with the UDO. Brusco seconded the motion. All were in favor and the motion passed.

X. ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

O'Donnell made a motion to appoint Mike Tripka as Board of Zoning Appeals Chairman. Brusco seconded the motion. All were in favor and Mike Tripka was elected Chairman.

Steele made a motion to appoint Julie O'Donnell as Board of Zoning Appeals Vice Chairman. Brusco seconded the motion. All were in favor and Julie O'Donnell was elected Vice-Chairman.

XI. DISCUSSION

There was no further discussion.

XII. ADJOURNMENT

O'Donnell made a motion to adjourn. Brusco seconded the motion. All were in favor and the July 21, 2015, Board of Zoning Appeals meeting adjourned at 7:55 p.m.